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IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE
DIVISION III

STATE OF TENNESSEE,)
)
Complainant,)
)
versus) No. 16645 Murder in The
) First Degree
JAMES EARL RAY,)
ALIAS ERIC STARVO GALT,) No. 16819 Carrying a
ALIAS JOHN WILLARD,) Dangerous Weapon
ALIAS HARVEY LOWMEYER,)
ALIAS HARVEY LOWMYER,)
)
Defendant.)

BE IT REMEMBERED, That the above-styled cause came
on to be heard this 10th day of March, 1969, before the
Honorable W. Preston Battle, Judge, presiding, before a jury
duly impaneled and sworn to try the issues herein joined,
wherein evidence was introduced and the following proceedings
were had, to-wit:

APPEARANCES

For the Complainant-----Gen. Phil M. Canale
Mr. Robert K. Dwyer
Mr. James Beasley
Assistant Attorneys General
Shelby County Office Building
Memphis, Tennessee.

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For the Defendant-----Mr. Percy Foreman
804 South Coast Building
Houston, Texas

Mr. Hugh W. Stanton, Sr.
Mr. Hugh W. Stanton, Jr.
Lincoln American Tower
Memphis, Tennessee

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THE COURT: Is that the agreement?

MR. CANALE: Yes, sir.

THE COURT: All right, I will have to
voir dire Mr. Ray.

Mr. James Earl Ray, stand.

(Thereupon, the Defendant complied
with the request of the Court.)

THE COURT: Have your lawyers explained
all your rights to you and do you understand
them?

MR. RAY: Yes, sir.

THE COURT: Do you know that you have
a right to a trial by jury on the charge of
murder in the first degree against you, the
punishment for murder in the first degree
ranging from death by electrocution to any
time over 20 years?

The burden of proof is on the State of
Tennessee to prove you guilty beyond a
reasonable doubt and to a moral certainty,
and the decision of the jury must be unani-
mous both as to guilt and punishment.

In the event of a jury verdict against
you, you would have the right to file a

1 motion for a new trial addressed to the
2 trial judge. In the event of an adverse
3 ruling against you on your motion for a
4 new trial, you would have the right to
5 successive appeals to the Tennessee Court
6 of Criminal Appeals and the Supreme Court
7 of Tennessee and to file a petition for
8 review by the Supreme Court of the United
9 States.

10 Do you understand that you have all of
11 these rights?

12 MR. RAY: Yes, sir.

13 THE COURT: You are entering a plea of
14 guilty to murder in the first degree, as
15 charged in the indictment, and are compro-
16 mising and settling your case on an agreed
17 punishment of 99 years in the State
18 Penitentiary.

19 Is this what you want to do?

20 MR. RAY: Yes. I have been -- That's --
21 yes --

22 THE COURT: Is that what you want to
23 do?

24 MR. RAY: That's right.

1 THE COURT: Do you understand that
2 you are waiving, which means giving up,
3 a formal trial by your plea of guilty, al-
4 though the laws of this State require the
5 prosecution to present certain evidence to
6 a jury in all cases of pleas of guilty to
7 murder in the first degree?

8 By your plea of guilty, you are also
9 waiving your right to:

10 One, your motion for a new trial;

11 Two, successive appeals to the Supreme
12 Court, to the Tennessee Court of Criminal
13 Appeals, and the Supreme Court of Tennessee;
14 and

15 Three, a petition to review it by the
16 Supreme Court of the United States.

17 By your plea of guilty, you are also
18 abandoning and waiving your objections and
19 exceptions to all the motions and petitions
20 in which the Court has heretofore ruled
21 against you, in whole or in part, among
22 them being:

23 One, Motion to withdraw a plea and quash
24 indictment;

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Two, Motion to inspect the evidence;

Three, Motion to remove lights and cameras from the jail;

Four, Motion for private consultation with Attorney;

Five, Petition to authorize Defendant to take depositions;

Six, Motion to permit conference with Huie;

Seven, Motion to permit photographs;

Eight, Motion to designate Court Reporters;

Nine, Motion to stipulate testimony;

Ten, Suggestion of proper name.

You are waiving and giving up all these rights?

MR. RAY: Yes, sir.

THE COURT: Has anything besides your sentence of 99 years in the penitentiary been promised to you to get you to plead guilty?

MR. RAY: No, no one has used pressure.

THE COURT: Are you pleading guilty to murder in the first degree in this case because you killed Dr. Martin Luther King under

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such circumstances that would make you legally guilty of murder in the first degree under the law as explained to you by your lawyers?

MR. RAY: Yes, legally guilty, uh-huh.

THE COURT: Is this plea of guilty to murder in the first degree with agreed punishment of 99 years in the State penitentiary freely, voluntarily and understandingly made and entered by you?

MR. RAY: Yes, sir.

THE COURT: Is this plea of guilty on your part the free act of your free will, made with your full knowledge and understanding of its meaning and consequences?

MR. RAY: Yes, sir.

THE COURT: You may be seated.

(Thereupon, the Defendant complied with the request of the Court.)

THE COURT: All right, sir, are you ready for a jury?

MR. FOREMAN: Yes, Your Honor.

THE COURT: All right, sir, call 12 names, take them one at a time out of the

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box and call the name.

DEPUTY: James W. Ballard; Gus Cariota;
Johnny Shaw; James N. Abram; John W. Blackwell;
Amos G. Black, Jr; J. Paul Howard; Miller
Williamson; Robert S. St. Pierre, S-t.
P-i-e-r-r-e.

MR. ST. PIERRE: Here.

DEPUTY: James R. Pate; Joe Stovall, Jr;
Richard Lee Counsellor.

Amos G. Black?

MR. BLACK: Yes.

DEPUTY: Have a seat in the box.

John W. Blackwell; James N. Abram;
Robert S. St. Pierre; Miller Williamson;
J. Paul Howard; Robert Lee Counsellor.
Last seat.

Joe Stovall, Jr.; James R. Pate;
Johnny Shaw; Gus Cariota; James W. Ballard.

(Thereupon, the jurors were seated
in the jury box.)

GEN. CANALE: May it please the Court,
Gentlemen of the Jury, I will introduce
myself. My name is Phil M. Canale, Jr. I
am the District Attorney here in Shelby

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County, Tennessee.

This is my Executive Assistant, Mr. Robert Dwyer, Assistant Attorney General, Mr. James Beasley, both in my office.

The next gentleman is Mr. Percy Foreman, who represents the Defendant, Mr. James Earl Ray, in this case; Mr. Hugh Stanton, Sr., also representing Mr. Ray; Mr. Hugh Stanton, Jr., representing Mr. Ray, and Mr. James Earl Ray is seated in the second row here behind his attorney.

Gentlemen, the case we have for consideration today is the case of the State of Tennessee against James Earl Ray, who is charged by the State of Tennessee in an indictment of murder in the first degree, growing out of the slaying on April 4th of 1968, of Dr. Martin Luther King, Jr.

Now, Gentlemen, this Defendant, Mr. James Earl Ray, has the right under our law to a trial by jury. He also has a right to enter a plea of guilty if he so desires.

This morning, Mr. Foreman, his attorney, has announced to the Court that James Earl

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Ray desires to change his plea from not guilty to guilty.

The Court, before you entered the room in here, entered the courtroom in here, has questioned the Defendant, James Earl Ray, about the voluntariness of his plea, and making sure that he has been explained all of his rights. The Court has done that and the Defendant has stated that this is a voluntary plea on his part, and that was done before you came in the courtroom.

Now, in such a situation as this, representing the people of the State of Tennessee, I have to make a recommendation as to punishment in the case, and on the plea of guilty to the Defendant for the slaying of Dr. Martin Luther King, Jr., I have recommended a sentence of 99 years in the State penitentiary at Nashville.

Now, Gentlemen, can each of you sit here as jurors, and we will put on some proof for your consideration, can each of you sit here as jurors and accept that plea

1 of guilty of the Defendant, James Earl Ray,
2 and the recommended punishment which has
3 been accepted, offered by the State and ac-
4 cepted by James Earl Ray, the punishment of
5 99 years in the State penitentiary at
6 Nashville?

7 Can each of you do that?

8 (Thereupon, the jurors indicated
9 that they could do so.)

10 GEN. CANALE: All right, sir.

11 THE COURT: Do you wish the jury to be
12 sworn at this time?

13 GEN. CANALE: Not just yet, Your Honor.
14 I want to make a few more remarks.

15 It is incumbent upon the State in a
16 plea of guilty to murder in the first degree
17 to put on certain proof for your consideration.

18 We have to put on proof of what we law-
19 yers call the proof of the corpus delicti
20 which is the body of the crime. We will also
21 put on several lay witnesses or police offi-
22 cers to fill you in on certain important as-
23 pects of this case, and then we will introduce
24 certain physical evidence through these

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witnesses, and Mr. Beasley, or Mr. Dwyer will question these witnesses, and Mr. Beasley will give you an agreed stipulation of facts that the State has gotten up which contains what the State would prove by witnesses if this went to trial, and you will have the benefit of all that information through this stipulation of fact which has been agreed to by the State and by the Defendant as to what the State would prove if this matter went to trial.

I just want to make one more statement to you gentlemen before we proceed with this matter.

There have naturally in any case that has had this notoriety, there have been rumors going all around, perhaps some of you have heard some of these rumors, that Mr. James Earl Ray was a dupe in this thing or a fall guy or a member of a conspiracy in a plan to kill, conspired plan to kill Dr. Martin Luther King, Jr.

I want to state to you as your Attorney General that we have no proof other than

1 that Dr. Martin Luther King, Jr. was killed
2 by James Earl Ray and James Earl Ray alone,
3 not in concert with anyone else.

4 Our office has examined over 5,000
5 printed pages of investigation work done by
6 local police, by national police organiza-
7 tions, and by international law enforce-
8 ment agencies. We have examined over 300
9 physical bits of evidence, physical exhibits.

10 Three men in my office, Mr. Dwyer, Mr.
11 Beasley, and Mr. John Carlyle, the chief
12 investigator in the Attorney General's Office,
13 -- you can't see him over here -- have trav-
14 eled thousands of miles all over this country
15 and to many cities, in foreign countries on
16 this investigation, our own independent in-
17 vestigation, and I just state to you frankly
18 that we have no evidence that there was any
19 conspiracy involved in this.

20 I will state this to you further: If at
21 any time there is evidence presented, com-
22 petent evidence presented, which we can in-
23 vestigate and bear out, that there was a con-
24 spiracy involved in this, I assure you as

1 your Attorney General that we will take
2 prompt and vigorous action in searching
3 it out and in asking that indictments be
4 returned, if there are other people or
5 should have, if it ever should develop
6 that other people were involved, and you
7 have my assurance on that. Not only me
8 but the local law enforcement officers and
9 your national law enforcement officers, and
10 I just wanted to give you that thought.

11 Thank you very much, Gentlemen.

12 MR. FOREMAN: May I?

13 Gentlemen of the Jury, I am Percy Foreman,
14 permitted by His Honor to appear, and it is
15 an honor to appear, in this court for this
16 case.

17 I never expected, hoped or had any idea
18 when I entered this case that I would be able
19 to accomplish anything except perhaps save
20 this man's life.

21 All of us, all of you were as well-
22 informed as was I about the facts of this case
23 due to the fact that we do have such an ef-
24 fective news media, both electronic and press

1 and magazines. Took me a month to convince
2 myself of that fact which the Attorney
3 General of the United States and J. Edgar
4 Hoover of the Federal Bureau of Investigation
5 announced last July; that is, just what
6 Gen. Canale has told you, that there was not
7 a conspiracy.

8 I have talked with my client more than
9 50 hours, I would estimate, and cross-
10 examination most of that time, checking each
11 hour, minute, each expenditure of money down
12 to even 50 and 75 cents for shaves and hair-
13 cuts, pursuing the ---

14 I have gone through agreed recommenda-
15 tions in capital cases many times, and I
16 know from past experience some of the ques-
17 tions that come to your mind as jurors, and
18 I think you are entitled to have them an-
19 swered now before you are sworn as jurors.

20 One of the things you are wondering is,
21 if this agreement has been made between the
22 prosecution and defense, why should we be
23 brought in here at all?

24 .. Gentlemen of the Jury, that goes back

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several hundred years in the jurisprudence of Anglo-Saxon law, and it's a part of the law of every state in the Union that I know about in capital cases, that capital case means a case where one of the alternate punishments is the possibility of infliction of death, and the law is so concerned about not establishing sordid chambered sessions where people's lives will be bartered, that they require what the Constitution calls a public trial, and you are the public in this case and you must understand what's going on. You are the brakes, but not one of you is required to sit on this jury. You have a right, any one of you, who thinks that it would be contrary to your conscience to write the penalty agreed upon by the prosecution and approved by the Court. If there is any one of you who feels, for any reason, you would rather be excused, why I am sure His Honor will excuse you at this time before the jury is sworn and call someone else to take your place.

Those of us who have spent our lives in

1 the courtroom, and particularly in the field
2 of what's called criminal law, we are sup-
3 posed to be able to evaluate a case. This
4 is the extreme penalty short of one step.
5 The death penalty is by many people thought
6 to be worse punishment than life or 99
7 years in the penitentiary. I don't think
8 there is any punishment at all to death ex-
9 cept from the time punishment is assessed
10 until it is carried into execution, because
11 certainly there is no punishment after than.

12 What, through the fact that you have
13 a District Attorney General, who is as big
14 as his office, if not bigger, a man who is
15 not primarily concerned with the scalps on
16 his belt. He is not trying to get a glor-
17 ious reputation to run for some higher office,
18 and the fact that you have a Judge, a sin-
19 cere humane and compassionate man, has en-
20 abled us to do here what some of the other
21 celebrated trials were not able.

22 There is just as compassionate a District
23 Attorney in Los Angeles as there is here,
24 just as big a man, but the Judge would not

1 agree in that case, and that's why that
2 case is going on.

3 But here in Shelby County, Tennessee,
4 you are blessed with a judiciary and with
5 a prosecuting attorney, who are able to
6 look at this case as well as any other
7 case and not be swept off their feet by
8 the backwash of publicity, and there is
9 no special consideration here.

10 I am advised by my co-counsel, Hugh
11 Stanton, Sr., that there has never been a
12 time in the history of Shelby County when
13 a plea of guilty was entered that the death
14 penalty was not waived.

15 So all that we have here is the same
16 precedent, equal justice being applied as
17 it would be if this were Joe Blow, John Doe
18 or Richard Roe instead of James Earl Ray.

19 Now, with that, I want to ask each of
20 you individually just one single question.
21 It is polling the jury in advance.

22 Mr. Black, who is Mr. Black?

23 Mr. Black, are you willing to assess
24 the punishment that His Honor and Gen. Canale

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and the attorneys for the defense have
agreed upon in this case, 99 years?

MR. BLACK: Yes.

MR. FOREMAN: You are. Thank you,
sir. And Mr. Blackwell, are you like-
wise willing to -- is there anything in
your conscience that would rebel at
writing this penalty agreed upon in this
case?

And you, Mr. Abrams, is that your
answer also, and if accepted as a juror
in this case, you will underwrite the ver-
dict and the judgment of the Court and
prosecuting attorney and defense counsel?

MR. ABRAMS: Yes, sir.

MR. FOREMAN: Thank you, Mr. Abram.
And you are Mr. St. Pierre?

MR. ST. PIERRE: That is correct.

MR. FOREMAN: That is St. Pierre,
isn't it?

I bet they haven't pronounced it
right here yet.

MR. ST. PIERRE: That is one ---

MR. FOREMAN: Are you, Mr. St. Pierre,

1 willing to subscribe to the verdict of
2 99-year sentence in this case if ac-
3 cepted as a juror?

4 MR. ST. PIERRE: Yes.

5 MR. FOREMAN: Thank you. And you
6 are Mr. Williamson?

7 MR. WILLIAMSON: Yes, sir.

8 MR. FOREMAN: Is that your answer
9 also?

10 MR. WILLIAMSON: Yes, sir.

11 MR. FOREMAN: And if you are sworn
12 as a juror in this case, you will assess
13 the penalty agreed upon and as recommended
14 by your Attorney General and approved by
15 His Honor, Judge Battle?

16 MR. WILLIAMSON: Yes, sir.

17 MR. FOREMAN: And you, Mr. Howard?

18 MR. HOWARD: Yes, sir.

19 MR. FOREMAN: Will you likewise assess
20 the penalty of 99 years if you are accepted
21 as a juror in this case?

22 MR. HOWARD: Yes, sir.

23 MR. FOREMAN: Thank you. And you are
24 Mr. Counsellor?

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MR. COUNSELLOR: Yes, sir.

MR. FOREMAN: Thank you, Mr. Counsellor.

Is your answer the same as these gentlemen on the back seat?

MR. COUNSELLOR: Yes, sir.

MR. FOREMAN: You will underwrite that verdict ---

MR. COUNSELLOR: Yes, sir.

MR. FOREMAN: -- if accepted as a juror.

And you, Mr. Stovall?

MR. STOVALL: That is my answer also.

MR. FOREMAN: Thank you, sir. We have a Judge Stovall in Houston.

Mr. Pate?

MR. PATE: Yes, sir.

MR. FOREMAN: Would you underwrite the verdict of 99 years as agreed upon and recommended by your Attorney General?

MR. PATE: Yes, sir.

MR. FOREMAN: And agreed to by the defense in this case and by the Defendant?

And Mr. Shaw, is that your answer also?

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MR. SHAW: Yes, sir.

MR. FOREMAN: You would write the same verdict also? Your answer is the same?

MR. SHAW: Yes, sir.

MR. FOREMAN: Mr. Cariota, is that your answer, sir?

MR. CARIOTA: Yes, sir.

MR. FOREMAN: And you, Mr. Ballard?

MR. BALLARD: Yes, sir.

MR. FOREMAN: You would? Thank you. Thank you very much.

Thank you, Your Honor.

THE COURT: Do both sides accept the jury?

MR. FOREMAN: We do, Your Honor.

GEN. CANALE: The State does, Your Honor.

MR. RAY: Your Honor, I would like to say something too, if I may.

THE COURT: All right.

MR. RAY: I don't want to change anything that I have said. I don't want to add anything onto it either. The only thing I have to say is, I don't exactly accept

1 the theories of Mr. Clark.

2 In other words, I am not bound to
3 accept these theories of Mr. Clark.

4 MR. FOREMAN: Who is Mr. Clark?

5 MR. RAY: Ramsey Clark.

6 MR. FOREMAN: Oh.

7 MR. RAY: And Mr. Hoover.

8 MR. FOREMAN: Mr. who?

9 MR. RAY: Mr. J. Edgar Hoover. The
10 only thing, I say I am not -- I agree to
11 all these stipulations. I am not trying to
12 change anything. I just want to add some-
13 thing onto it.

14 THE COURT: You don't agree with
15 whose theories?

16 MR. RAY: I meant Mr. Canale, Mr.
17 Foreman, Mr. Ramsey Clark. I mean on the
18 conspiracy thing. I don't want to add
19 something onto it which I haven't agreed
20 to in the past.

21 MR. FOREMAN: I think that what he is
22 saying is that he doesn't think that Ramsey
23 Clark's right or J. Edgar Hoover is right.

24 I didn't argue them as evidence in

1 this case. I simply stated that under-
2 writing and backing up the opinions of
3 General Canale, that they had made the
4 same statement.

5 You are not required to agree or
6 withdraw or anything else.

7 THE COURT: You still -- your answers
8 to these questions that I asked you would
9 still be the same?

10 MR. RAY: Yes, sir.

11 The only thing is I just didn't want
12 to add anything onto them. That was all.

13 THE COURT: There is nothing in these
14 answers to these questions I asked you,
15 in other words, you change none of those?

16 MR. RAY: No, sir. No, sir.

17 THE COURT: In other words, you are
18 pleading guilty and taking 99 years, and
19 I think the main question here that I want
20 to ask you is this:

21 Are you pleading guilty to murder in
22 the first degree in this case because you
23 killed Dr. Martin Luther King under such
24 circumstances that would make you legally

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guilty of murder in the first degree under
the law as explained to you by your lawyers?

MR. RAY: Yes, sir, make me guilty on
that.

THE COURT: Your answers are still yes?

MR. RAY: Yes, sir.

THE COURT: All right, sir, that is all.
You may swear the jury.

(Thereupon, the jury was sworn.)

THE COURT: Swear the officers, too,
four or five of them.

Everyone who is to be sworn, ask the
officers to come in.

(Thereupon, the officers were sworn.)

GEN. CANALE: Your Honor, I will read
the indictment to the jury at this time.

THE COURT: All right, sir.

GEN. CANALE: Gentlemen of the Jury, the
indictment in this case reads as follows:

"State of Tennessee, Shelby County,
Criminal Court of Shelby County, January
term, 1968.

"The Grand Jurors of the State of
Tennessee, duly elected, impaneled, sworn

1 and charged to inquire in and for the
2 body of the County of Shelby, in the
3 State aforesaid, upon their oath pre-
4 sent that James Earl Ray, alias Eric
5 Starvo Galt, alias John Willard, alias
6 Harvey Lowmeyer, spelled L-O-W-M-E-Y-E-R,
7 alias Harvey Lowmyer, spelled
8 L-O-W-M-Y-E-R, late of the County afore-
9 said, heretofore, to-wit, on the 4th day
10 of April, 1968, before the finding of this
11 indictment, in the County aforesaid, did
12 unlawfully, feloniously, wilfully, de-
13 liberately, premeditatedly, and with
14 malice aforethought kill and murder
15 Martin Luther King, Jr., against the peace
16 and dignity of the State of Tennessee."

17 This is signed by myself, Phil M.
18 Canale, Jr., Attorney General, Criminal
19 Court of Shelby County, Tennessee, and it
20 was returned a true bill by the Shelby
21 County Grand Jury on the 7th day of May,
22 1968, and signed W. F. Bowld, Foreman of
23 the Grand Jury.

24 MR. FOREMAN: To which, Gentlemen of

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the Jury, the Defendant, James Earl Ray,
enters a plea of guilty.

MR. DWYER: Mr. Gray, call Reverend
Kyle, please, sir.

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SAMUEL B. KYLES

The said witness, being first duly sworn, testified
as follows:

DIRECT EXAMINATION
BY MR. DWYER:

Q Will you state your name to this Court and Jury,
please, sir?

A Samuel B. Kyles.

Q And where do you live, sir?

A 2215 South Parkway East, Memphis, Tennessee.

Q Your profession is what, sir?

A I am in the ministry.

Q And what denomination do you belong to, Rev. Kyles?

A Baptist.

Q And the name of your church, please, sir?

A Monumental Baptist Church.

Q And where is that located, sir?

A 704 South Parkway East, Memphis, Tennessee.

Q Rev. Kyles, I will ask you if you knew a man by the
name of Martin Luther King, Jr.?

A Yes, I do.

Q Was he a friend of yours, Rev. Kyles?

A Yes, we were personal friends.

Q And this was over a period of how many years,

1 please, sir?

2 A About ten years.

3 Q Rev. Kyles, I am going to direct your attention and
4 memory back to the date of April the 4th, 1968.

5 Do you recall that date, sir?

6 A Yes, I do.

7 Q And around 6:00 P.M. on that date where were you?

8 A I was in the Lorraine Motel in Room 306.

9 Q And the purpose of being down there was what, Rev.
10 Kyles?

11 A I had gone to pick Dr. Martin Luther King, Jr. up
12 to go home, go to my house at 2215 South Parkway East for a
13 soul food dinner.

14 Q And had Dr. King agreed to go out to your home and
15 eat dinner with you?

16 A Yes.

17 Q All right, now, a few minutes prior to 6:00 P.M.,
18 Rev. Kyles, do you recall your location at that time?

19 A Yes. I spent about 45 minutes in Room 306 with Dr.
20 King.

21 Q Were you engaging with conversation with him at that
22 time, Rev. Kyles?

23 A Yes, I was.

24 Q Was Dr. King alive and in good health and in good

1 spirits at that time and at that location?

2 A Yes, he was.

3 Q All right, now, Rev. Kyles, I am going to ask you,
4 with the Court's permission, to step down from the witness
5 stand, if you will.

6 Will you come down here, Reverend?

7 I am going to show you a simulated mock-up of the
8 section of the city, Rev. Kyles, and ask you from this if
9 you can identify the Lorraine Motel?

10 A Yes, I can.

11 Q All right now, Rev. Kyles, if you would, step over
12 here so these gentlemen can see you, please, sir.

13 Can you give us the location on the mock-up for
14 the benefit of the Court and Jury where Dr. King's room was
15 on that date?

16 A Room 306 of the Lorraine Motel, approximately right
17 here (indicating).

18 Q That was the upper floor of that motel, is that
19 correct?

20 A Yes, that's correct.

21 Q And you were in the room with Dr. King, Rev. Kyles?

22 A Yes, I was.

23 Q All right, now, right at 6:00 P.M., did he leave the
24 room or did you leave the room or what took place down there?

1 A Uh, fairly close to 6:00 P.M. we were going to leave
2 for dinner. Dr. Abernathy was also in the room. Dr. King
3 came out. I was still in the room. He came out on the bal-
4 cony and was greeting some of the people who were in the
5 courtyard, and he came back in the room, I believe to get
6 his coat, and the both of us came out together, and we stood
7 at this point on the balcony for about, about three minutes
8 greeting some people who also were going to dinner with us.
9 And we stood together there about three or four minutes, and
10 I turned to my right to walk away and said I was going and
11 get my car and take some of the people who were going to
12 dinner.

13 I got approximately 5 or 6 steps away from him and
14 I heard what I now know to be a shot, and I looked over the
15 railing. I thought it was a car backfiring, or something,
16 and when I realized what had happened, I turned back to my
17 left and saw Dr. King lying in a position thusly with a
18 tremendous wound in his right side. He was laying in this
19 position with the wound here (indicating).

20 Q All right. Can you depict on there with your
21 finger, Rev. Kyles, whereabouts was Dr. King lying at that
22 time?

23 A In the little indented point here (indicating).
24 There is a little indented place where the balcony comes and

1 goes in.

2 He was -- he was -- he had fallen in this little
3 cove-like with his feet pressed against the railing, and he
4 was lying in a pool of blood at that point.

5 Q Reverend, you noticed a gaping wound, did you say,
6 about his face?

7 A Yes, and it tore this much of his face away that
8 I could see, and also noticed that the shot had cut his
9 necktie, just cut it right off at that point.

10 I remember that because he had been trying to find
11 out -- he thought somebody was playing a trick in the room --
12 he couldn't find his necktie and he did finally find it, and
13 we had had some conversation about his shirt and his neck-
14 tie.

15 Q All right, now, at that time did Dr. King say any-
16 thing to you, Rev. Kyles?

17 A You mean while lying there?

18 Q While lying there.

19 A No, he didn't speak a word.

20 Q No word. All right, now, what did you do then,
21 Reverend?

22 A I immediately came to him and when I saw this
23 wound in his face, I ran in the room and picked up the phone
24 to try and get an ambulance and I didn't have success at

1 that because I think the operator had left. She must have
2 heard the shot and come out.

3 So I came back out and looked over the railing and
4 I hollered to somebody, police, I believe, to call an ambu-
5 lance and they had already called one, and then I went back
6 into the room and took the spreads off the beds in the room
7 and covered him, covered him as he was lying there.

8 Q Did you go to the hospital with Dr. King, Rev.
9 Kyles?

10 A No, I didn't. I remained at the Lorraine to handle
11 the phones. We were trying to get in touch with Atlanta and
12 Mrs. King.

13 Q Rev. Kyles, when you were on the balcony, after hear-
14 ing the shot, did you look over towards the rooming house?

15 A Yes, I did. I heard some people asking, I think
16 they were the police, which way the shot come from, and there
17 were some people pointing, and we all looked in that direc-
18 tion.

19 Q I will ask you to point on the mock-up here, and I
20 will ask you, in the back of the rooming house, Rev. Kyles,
21 if you will.

22 Do you see the area over there?

23 A Over here (indicating)?

24 Q Yes.

1 A Yes.

2 Q Right in the back, did you look down in there, in
3 that area?

4 A Yes, I looked over here because there were bushes
5 and things. It wasn't clear like this (indicating).

6 Q All right. I am going to hand you a photograph
7 and ask you, Reverend, if this will depict, this photograph
8 will depict the area as it was when you looked over there
9 on that evening?

10 A It does.

11 Q All right, now, I will ask you, Rev. Kyles, did
12 you see anybody moving about over there?

13 A No, I didn't.

14 Q All right. Come on back, if you will, Reverend.

15 (Thereupon, the witness resumed
16 the witness stand.)

17 Q I am going to show you another picture, Rev. Kyles,
18 and ask you if you can identify it for me, please?

19 A Yes. This is a scene looking north on Mulberry
20 Street right in front of the Lorraine Motel, right on the
21 parking lot area.

22 Q As I asked you the area in back of the rooming house,
23 did you look over in that area, Rev. Kyles?

24 A Yes, I did.

1 Q Did you see anybody moving about over there?

2 A No. At the point I looked, I could see the officers
3 coming, coming towards ---

4 Q Towards the motel?

5 A Yes, sir.

6 Q All right, now, Rev. Kyles, did you attend the
7 funeral of Dr. Martin Luther King, Jr.?

8 A Yes, I did, in Atlanta, Ga.

9 Q I am going to hand you a photograph, Rev. Kyles,
10 and ask you if you can identify it, please?

11 A Yes. That's a photograph of Dr. King.

12 Q And does that depict the wound that you saw on his
13 face when you saw him on April the 4th, 1968?

14 A Yes, it does.

15 MR. DWYER: If the Court please, I
16 would like to have these photographs
17 passed to the Jury for its consideration.

18 THE COURT: Have they been marked?

19 MR. DWYER: We are going to make
20 them all a composite exhibit, if the
21 Court please.

22 THE COURT: Oh, you are.

23 MR. DWYER: All of them.

24 THE COURT: All right, sir.

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(Thereupon, the said photographs
were passed to the Jury.)

Q Rev. Kyles, what you have testified to, did it
happen in Memphis, Shelby County, Tennessee, prior to May 7,
1968?

A Yes, it did.

MR. DWYER: That is all. You may
step down, Rev. Kyles. Thank you very
much.

(Witness Excused)

MR. DWYER: Mr. Chauncy Eskridge,
Mr. Gray.

1 CHAUNCY ESKRIDGE

2 The said witness, being first duly sworn, testified
3 as follows:

4
5 DIRECT EXAMINATION
6 BY MR. DWYER:

7 Q Will you state your name to this Court and Jury,
8 please, sir?

9 A My name is Chauncy Eskridge, E-s-k-r-i-d-g-e.

10 Q And where do you live, Mr. Eskridge?

11 A Chicago, Illinois.

12 Q And your profession is what, sir?

13 A I am attorney at law.

14 Q Mr. Eskridge, I am going to direct your attention
15 and your memory back to April 4, 1968. Do you recall that
16 date, sir?

17 A I do.

18 Q And on that date do you recall where you were?

19 A In Memphis, Tennessee.

20 Q Around 6:00 P.M. on that date, do you recall where
21 you were, Mr. Eskridge?

22 A I do.

23 Q And where was that, sir?

24 A At the Lorraine Hotel.

Q And your purpose for being there was what, sir?

1 A Visiting with Dr. King, and I was his lawyer.

2 Q You represented Dr. King?

3 A Yes.

4 Q Now, Mr. Eskridge, I am going to ask you to come
5 down, if you will, please, sir, and let me show you a mock-
6 up of that part of the city.

7 (Witness complies with request.)

8 Q If you will, if you will take the pointer, Mr.
9 Eskridge, and orient yourself a little bit there.

10 Around 6:00 P.M. on that date, where were you lo-
11 cated, sir?

12 Come around here, Mr. Eskridge, so the Jury can see
13 what you are doing.

14 A I was standing in the courtway looking up at the
15 door at 306, the room 306, and I would have been about here
16 (indicating).

17 Q All right, sir, now at that time were you engaging
18 Dr. King in conversation or anything like that, Mr. Eskridge?

19 A Well, at 6:00 o'clock he came out of the room. I
20 was awaiting him to go to dinner and I was at the car. The
21 driver of the car was standing in front of me. We were both
22 on the lefthand side of the car, and Rev. Andrew Young was
23 on the righthand side of the car.

24 At any moment we were expecting Dr. King to come

1 from the room. He opened the door and came out one time and
2 he said something about, "Tell Jesse we are ready to go."

3 He went back in to put in his shirttail and a few
4 minutes later he came out with his coat on and he put his
5 coat on and put his hand on the rail and leaned over the
6 rail and said, "Okay, start the car."

7 Whereupon, the sound came from my right ear and
8 said, "Zing!"

9 And I looked to my left rear to see what it was.
10 And I turned back and looked and he was laying on his back.

11 Q Mr. Eskridge, when you turned to your left, did you
12 look back over towards a rooming house there shown on the
13 mock-up?

14 A I did.

15 Q Did you see anybody moving about over there at that
16 time?

17 A I did not.

18 Q All right, now, when you turned back, you saw Dr.
19 King, he was sprawled out on the balcony; is that right?

20 A That's right.

21 Q Did you go to the hospital with Dr. King?

22 A I did.

23 Q And at that time were you informed that he was dead?

24 A I was.

1 Q Did you attend his funeral, Mr. Eskridge?

2 A I did.

3 Q And that funeral took place where?

4 A In Atlanta, Ga.

5 Q You may resume the stand there, Mr. Eskridge.

6 (Thereupon, the witness resumed
7 the witness stand.)

8 MR. DWYER: You may step down. Thank
9 you very much, Mr. Eskridge.

10 (Witness Excused)

11 ---

12 MR. DWYER: Dr. Francisco, Mr. Gray.

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1 DR. JERRY THOMAS FRANCISCO

2 The said witness, being first duly sworn, testified
3 as follows:

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5 DIRECT EXAMINATION
6 BY MR. DWYER:

7 Q Will you state your name to this Court and Jury,
8 please, sir?

9 A Jerry Thomas Francisco.

10 Q And your profession is what, sir?

11 A Physician.

12 Q Are you licensed to practice in the State of
13 Tennessee, Dr. Francisco?

14 A Yes.

15 Q Dr. Francisco, I will ask you if you hold a position
16 in our County government here?

17 A Yes.

18 Q And that position is what, sir?

19 A County Medical Examiner for Shelby County.

20 Q What field of medicine have you specialized in, Dr.
21 Francisco?

22 A The field of pathology and forensic pathology.

23 Q Pathology is basically what, sir?

24 A Pathology in its simplest terms is defined as study
of disease, that branch of medicine that concerns itself with

1 the causes of disease, the effects of disease upon the body,
2 including trauma, injuries to the body.

3 Q Dr. Francisco, I will ask you if you were acting in
4 that capacity as County Medical Examiner on April 4, 1968?

5 A Yes.

6 Q And I will ask you if around 8:47 P.M. on that date
7 if you remember where you were, sir?

8 A Yes.

9 Q And will you tell us, please?

10 A In the medical examiner laboratories at the University
11 of Tennessee.

12 Q I will ask you if at that time if you had an oc-
13 casion to view a dead body?

14 A Yes.

15 Q I will show you a photograph that has been shown
16 as an exhibit in this case and ask you if that is the body
17 that you saw at that time at that location?

18 A Yes.

19 Q Dr. Francisco, I will ask you what if anything did
20 you do in relation to that body?

21 A An autopsy was performed.

22 Q And an autopsy is what, sir?

23 A An autopsy is a scientific and systematic examination
24 of the body after death in order to determine any wounds,

1 injuries, or diseases present on the body.

2 Q Will you tell us what your examination reflected,
3 Dr. Francisco?

4 A The examination revealed a gunshot wound to the
5 right side of the face, passing through the body into the
6 neck, through the spinal cord at the base of the neck, with
7 the bullet lodging beneath the skin near the shoulder blade
8 on the left.

9 Q Cause of death was what, Dr. Francisco?

10 A A gunshot wound to the cervical and thoracic spinal
11 cord.

12 Q In your medical opinion, how soon did death occur
13 from that wound?

14 A Shortly after death, shortly after injury.

15 Q Did you recover anything from the body, Dr.
16 Francisco?

17 A Yes.

18 Q I am going to show you an object and ask you if
19 you can identify those, Dr. Francisco?

20 A Yes.

21 Q And what is that, please, sir?

22 A This is the bullet that was removed from the body
23 at the time of the autopsy.

24 Q What, if anything, did you do with that bullet,

1 Dr. Francisco, that you recovered?

2 A This bullet was identified by number and delivered
3 to representative of the police department.

4 Q Dr. Francisco, pursuant to the -- first, let me ask
5 you, would you give me an angle or the gentlemen of the jury
6 an angle of that wound, Doctor, say, on your own body, if
7 you would, please, sir?

8 A The angle was from above downward, from right to
9 left, passing through the chin, base of the neck, spinal
10 cord into the back, an angle of something about like this
11 on the body (indicating).

12 Q Pursuant to our instructions, Dr. Francisco, did
13 you visit the scene, sir?

14 A Yes.

15 Q And did you make certain tests out there or observa-
16 tions at the scene?

17 A Yes.

18 Q Dr. Francisco, I will ask you if you will step down
19 please, sir, and come over to the mock-up, please?

20 (Thereupon, the witness complied
21 with request.)

22 Q The tests, Dr. Francisco, were what, please, sir?

23 A The tests included going to the floor, going to
24 the floor of the motel in this area and going to the room

1 over here, viewing from this point in the room to this lo-
2 cation on the motel balcony, and in viewing from back of
3 the room in this area adjacent to the motel (indicating).

4 Q In other words, then, Doctor, you were angling from
5 the room in the rooming house to the balcony; is that cor-
6 rect, sir?

7 A That is correct.

8 Q And then angling from the back on the ground of the
9 rooming house to the balcony; is that correct?

10 A That is correct.

11 Q Which one was consistent with the angle of wound,
12 Dr. Francisco?

13 A The location of the window.

14 (Thereupon, the witness resumed
15 the witness stand.)

16 MR. DWYER: That is all. Thank you,
17 Dr. Francisco. You may come down, sir.

18 (Witness Excused)

19

20 MR. DWYER: Inspector Zachary.

21 MR. BEASLEY: Your Honor please,
22 could I step over by Mr. Carlisle to pass
23 him ---
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N. E. ZACHARY

The said witness, being first duly sworn, testified as follows:

DIRECT EXAMINATION
BY MR. DWYER:

Q Will you state your name to this Court and Jury, please, sir?

A N. E. Zachary.

Q By whom are you employed, sir?

A Memphis Police Department.

Q How long have you been with the Department?

A Almost 22 years.

Q Do you have a rank or rating with the Department?

A Inspector of Police.

Q Insp. Zachary, I will ask you if you were employed by the Memphis Police Department on April the 4th, 1968?

A I was.

Q You were in what capacity on that date, please, sir, with the Department?

A Inspector in charge of the Homicide Bureau.

Q Inspector, I will ask you if you recall the hour of 6:00 P.M. on that date?

A I do, sir.

Q And your location at that time?

1 A I was at Police Headquarters at that time.

2 Q Inspector, what, if anything, occurred?

3 A I heard a broadcast on the radio that Dr. Martin
4 Luther King had been shot at the Lorraine Motel.

5 Q What did you do, sir?

6 A Immediately went to the Lorraine Motel.

7 Q And when you got down there were you the commanding
8 officer in charge of the scene at that time, Inspector?

9 A I was.

10 Q Did you issue certain instructions and have photo-
11 graphs and things of that kind made?

12 A I did.

13 Q Detail men to start making investigation of that
14 area; is that correct, Inspector?

15 A I did, yes, sir.

16 Q Inspector, I am going to ask you if you went up to
17 Main Street at that time?

18 A I did.

19 Q Now, will you step down, please, sir, so we might
20 orient ourselves here?

21 (Thereupon, the witness complied
22 with request.)

23 Q In regards to Main Street on the mock-up, Inspector,
24 did you find anything up there, and in particular, in front

1 of Canipe Amusement Company?

2 A I did.

3 Q Would you point that out and let these gentlemen of
4 the jury see where you are referring to?

5 (Thereupon, the witness complied
6 with request.)

7 Q All right, Inspector, what, if anything, did you
8 find there, please, sir?

9 A I found a package rolled up in a bedspread which
10 consisted of a blue briefcase and a Browning pasteboard box
11 containing a rifle.

12 It was in this doorway at about this location right
13 here (indicating).

14 Q Let me show you a photograph and ask you if that
15 reflects the package that you found on that evening,
16 Inspector?

17 A It does, yes, sir.

18 Q What, if anything, did you have cause to be done
19 to the package, please, sir?

20 A At that particular time I put a guard on it with
21 instructions to let no one touch it or move it until we
22 could take photographs of it.

23 Q Did you later take this package or bundle, as you
24 might refer to it, to Headquarters?

1 A I did, yes, sir.

2 Q All right, Inspector, if you will, come back over
3 here, please.

4 (Thereupon, the witness resumed
5 the witness stand.)

6 Q I am going to show you a spread, Inspector, and ask
7 you if that is the spread that was wrapped around the pack-
8 age?

9 A Yes, sir, it is.

10 Q All right. Can I have that back, please?

11 (Thereupon, the said object was
12 passed to counsel.)

13 Q Show you a box, Inspector, and ask you if that was
14 in the bundle down there?

15 A Yes, sir.

16 Q Show you a rifle, Inspector, and ask you if that
17 was in the box?

18 A It was, yes, sir.

19 Q All right. Show you a plastic zipper bag and ask
20 you if that was in the bundle, Inspector?

21 A It was, yes, sir.

22 Q You took these objects up to Headquarters, Inspector
23 Zachary?

24 A I did.

1 Q Did you go into the zipper bag at Headquarters?
2 A I did, yes, sir, by using a coathanger to unzip it.
3 Q I am going to ask you if you found a binocular case
4 in there, Insp. Zachary?
5 A Yes, sir.
6 Q A couple of cans of beer, Schlitz beer?
7 A Yes, sir.
8 Q Did you find those in there?
9 A I did.
10 Q Shaving kit?
11 A Yes, sir.
12 Q Show you a garment that is wrapped up. I believe
13 that is a tee shirt, Insp. Zachary.
14 A Yes, sir.
15 Q Pair of undershorts?
16 A Yes, sir.
17 Q Pair of binoculars?
18 A Yes, sir.
19 Q Pasteboard box that looks like binoculars came in?
20 A Yes, sir.
21 Q Was that in there, Inspector?
22 A Yes, sir.
23 Q And a hair brush?
24 A Yes, sir.

1 Q There is a transistor radio; was that in there,
2 Inspector?

3 A Yes, it was.

4 Q A pair of pliers and a hammer?

5 A Yes, sir.

6 Q A paper bag; was that in the bundle, Inspector, in
7 the plastic bag?

8 A Yes, sir.

9 Q There is a newspaper, Commercial Appeal, Insp.
10 Zachary, was that in there?

11 A Yes, sir.

12 Q Inspector, what did you do with the plastic zipper
13 bag at Headquarters?

14 A I turned it and the contents, with the exception
15 of the tee shirt and shorts, over to the F.B.I. sometime
16 around 10:00 P.M. that night.

17 Q Was that up there in your office, Inspector?

18 A Yes, sir.

19 Q And do you recall was Mr. Jensen of the Memphis
20 F.B.I. there?

21 A He was, yes, sir.

22 Q And those objects were turned over to him; is that
23 correct?

24 A Yes, sir.

1 Q There is some cartridges, Inspector; were they in
2 the zipper bag?
3 A No, sir. I believe they were in the pasteboard bag
4 with the rifle.
5 Q With the rifle?
6 A Yes, sir.
7 Q The purpose of turning these objects that you have
8 identified here over to the F.B.I. was to be sent to
9 Washington for its examination, Insp. Zachary?
10 A That is correct, yes, sir.
11 MR. DWYER: You may come down, Insp.
12 Zachary. Thank you very much, sir.
13 (Witness Excused)
14 ---
15 MR. DWYER: Mr. Robert Jensen, Mr.
16 Gray.
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1 ROBERT G. JENSEN

2 The said witness, being first duly sworn, testified
3 as follows:

4 DIRECT EXAMINATION
5 BY MR. DWYER:

6 Q Will you state your name to this Court and Jury,
7 please, sir?

8 A I am Robert G. Jensen.

9 Q And by whom are you employed, sir?

10 A By the F.B.I.

11 Q And you are stationed where, sir?

12 A In Memphis.

13 Q Mr. Jensen, how long have you been with the
14 Federal Bureau of Investigation?

15 A Be 22 years in April.

16 Q What position were you in in the Memphis area on
17 April the 4th, 1968, Mr. Jensen?

18 A I am the Special Agent in charge of the Memphis
19 Division.

20 Q I will ask you around 6:05 P.M. on that date, do
21 you recall where you were, Mr. Jensen?

22 A Yes, sir. I was in the office of the F.B.I.

23 Q And did you receive a call at that time?

24 A I did.

1 Q And as a result of the call, what, if anything, did
2 you do, Mr. Jensen?

3 A I called my Washington headquarters to advise them
4 of the information which I had received, and then subse-
5 quently dispatched men to assist in the investigation.

6 Q All right, now, Mr. Jensen, you dispatched your
7 agents to enter into this investigation, at what time on
8 that date, would you say?

9 A Probably around 6:30.

10 Q All right, now, Mr. Jensen, I will ask you if you
11 recall where you were at 10:00 P.M. on that date?

12 A Yes, sir, I was in the Memphis Police Department.

13 Q And I will ask you if anything was turned over to
14 you in your official capacity on that date at that time by
15 the Memphis Police Department?

16 A Yes. Certain evidence was turned over to me that
17 night.

18 Q I am going to ask you, Mr. Jensen, to look at --
19 there is a green spread here, here is some pliers and a
20 hammer, here is a rifle, here is some shaving articles,
21 binoculars, beer cans, newspaper, tee shirt, shorts, there
22 is a transistor radio over there (indicating).

23 I will ask you if those objects were turned over to
24 you by Insp. Zachary of the Memphis Police Department?

1 A Yes, they were.

2 Q And the purpose of that was what, sir?

3 A In order that I could send them to our laboratory
4 for examination.

5 Q And did you do that, Mr. Jensen?

6 A Yes, I did.

7 Q And can you tell us briefly how that was done, sir?

8 A Yes. The evidence was taken over to my office,
9 was personally wrapped under my supervision, and when all
10 the material was wrapped, I dispatched an agent to
11 Washington to physically carry the material to the labora-
12 tory.

13 Q All right, now, Mr. Jensen, did you continue to
14 make an investigation in your capacity in this killing of
15 Dr. King?

16 A Yes, we did.

17 Q And I will ask you on the next date, April the 5th,
18 if you instructed your men to make a canvass of the hotels
19 and motels in Shelby County?

20 A Yes, I did.

21 Q As a result of that, was any evidence uncovered?

22 A Yes, sir. We found a registration card at the
23 Rebel Motel.

24 Q The name on that registration card was what, sir?

1 A Eric S. Galt.

2 Q Did you find that this Eric S. Galt was driving a
3 Mustang, white Mustang automobile?

4 A Yes, sir.

5 Q All right, now, Mr. Jensen, I guess you were co-
6 ordinating the F.B.I.'s part of the investigation; is that
7 correct, sir?

8 A Yes, sir.

9 Q And in regards to the rifle, did that direct the
10 F.B.I. to any area in our country?

11 A Yes, sir, it did.

12 Q And to where, sir?

13 A Well, first to the manufacturer, and we determined
14 that based on the numbers appearing on the rifle that it
15 had been sent to a distributor in Birmingham, Alabama, and
16 was subsequently sold by Aero Marine Supply Company.

17 Q Were you looking for Eric S. Galt in Birmingham,
18 Alabama, at that time?

19 A Yes, sir.

20 Q All right, now, Mr. Jensen, I will ask you if your
21 investigation led you to Atlanta, Georgia?

22 A Yes, it did.

23 Q Was the Mustang automobile recovered there, sir?

24 A Yes, it was. It was recovered on the 11th of

1 April.

2 Q After the automobile was recovered, Mr. Jensen,
3 did you find stickers on it to indicate that it had been in
4 Mexico?

5 A Yes, it did. There were stickers on the automobile.

6 Q Did the investigation by the Federal Bureau of
7 Investigation extend into Mexico?

8 A It did.

9 Q Now, I am going to ask you, Mr. Jensen, the pliers
10 and the hammer that were shown to Insp. Zachary and to you,
11 did they lead the F.B.I. to any area of the country?

12 A It led us to Los Angeles, California.

13 Q Did you find where they had been sold out there?

14 A We found a hardware store that maintained comparable
15 items, yes, sir.

16 Q And the name of that, if you can recall it?

17 A Ramage, R-a-m-a-g-e, is the best of my recollection.

18 Q The tee shirt and shorts, did that lead the F.B.I.
19 to any area of our country?

20 A Yes, sir, the West Coast.

21 Q And did you find where the laundry marks originated
22 from out there?

23 A Yes, sir, we did. Also in Los Angeles.

24 Q Did the F.B.I.'s investigation extend into Canada,

1 Mr. Jensen?

2 A Yes, sir.

3 Q Did the F.B.I.'s investigation extend into Portugal
4 and to England?

5 A Yes, sir, it did.

6 Q Did the investigation made by the F.B.I. culminate
7 in the arrest of James Earl Ray?

8 A Yes, it did.

9 MR. DWYER: That is all. I thank you
10 very much, Mr. Jensen. You may come down.

11 (Witness Excused)

12 ---

13 MR. DWYER: That is all the proof the
14 State cares to offer at this time, if the
15 Court pleases, except some stipulations by
16 Mr. Beasley.

17 THE COURT: All right, sir. Is that
18 a lengthy stipulation?

19 MR. BEASLEY: Yes, sir.

20 THE COURT: Well, I think we have been
21 going about an hour and 15 minutes. Maybe
22 we had better have a short recess. Sup-
23 pose we take a short recess.

24 Gentlemen, go to your room.

(RECESS)

1 THE COURT: Are you gentlemen ready
2 for the jury, or do you want to do some
3 more scene-shifting around?

4 MR. BEASLEY: No, sir. I think we
5 are ready, yes, sir.

6 THE COURT: Bring them in.

7 (Thereupon, the following proceed-
8 ings were had in the presence
9 and hearing of the jury:)

10 MR. BEASLEY: May it please the
11 Court, Gentlemen of the Jury, I propose
12 at this time to narrate to you gentlemen
13 a stipulation of the facts and evidence
14 that the State would prove in addition
15 to the testimony that you heretofore heard
16 in the trial of this cause.

17 Gentlemen, if you look in this di-
18 rection, this is an enlargement of this
19 area that is reflected on the overall mock-
20 up here (indicating).

21 This, specifically, is the rooming
22 house designated as 422 1/2 South Main,
23 the upper floor. We have removed the roof
24 so you can see the various rooms that are

1 reflected in this mock-up.

2 The State would show in the course
3 of its proof, Gentlemen of the Jury,
4 through Mrs. Bessie Brewer, who was em-
5 ployed as manager of this rooming house,
6 that on the afternoon of April the 4th,
7 between 3:00 and 3:30 P.M. in the after-
8 noon, the Defendant appeared here at
9 Mrs. Brewer's office or apartment that
10 was used as an office in this rooming
11 house. Under the name, John Willard, re-
12 quested a room for a week.

13 Mrs. Brewer showed him room 8 which
14 is on the south side of the rooming house.
15 This room was not satisfactory. There was
16 some statement made with reference to not
17 needing a refrigerator, stove, request
18 for a single sleeping room.

19 Mrs. Brewer took him around this
20 passageway. As you will note, there is
21 a division between these two buildings,
22 a space in between which has been closed
23 out here (indicating). There is a
24 passageway that leads over to the north

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side of 422 1/2 South Main. You see here rooms (indicating). This is a little corridor leading down by the rooms. He was taken to room 5-B which is located in this section (indicating). The Defendant did rent this room for a week from Mrs. Brewer.

The State's proof would then show that at approximately 4:00 P.M., the Defendant appeared at the York Arms Company which is located one mile north of this rooming house, one-half mile, excuse me, one-half mile north of the rooming house on Main Street here in Memphis; that at that time he purchased from Mr. Ralph Carpenter the binoculars, Bushnell binoculars, that have heretofore been shown in evidence. They were in a case. That case was likewise shown in evidence in a box on which the price was recorded of the binoculars. They were placed in a sack by Mr. Carpenter after collecting some \$41.55, including tax, from the Defendant.

1 Now, Gentlemen, coming back to the overall
2 mock-up, the State's proof would show that
3 between 4:30 and 4:45 P.M., Mrs. Elizabeth
4 Copeland, who worked across the street
5 from this area designated as Canipe
6 Amusement Company, observed a small white
7 automobile pull up and park in this gener-
8 eral area, as designated by the smaller
9 car here on the mock-up, to the north of
10 this light pole and to the south here of
11 Canipe Amusement Company (indicating).

12 Mrs. Copeland told Mrs. Peggy Hurley,
13 "Peggy, your husband is here for you."
14 When Mrs. Hurley came to the window and
15 looked out, she says, "No, that is not
16 my husband. Our car is a Falcon, white
17 Falcon. This is a white Mustang." She
18 did note a man sitting in the car.

19 Shortly thereafter, Mrs. Hurley's
20 husband arrived, she got in the car and
21 left. When Mrs. Copeland left her place
22 of employment, was picked up by her hus-
23 band at approximately 5:20 P.M., the car
24 was still there. There was no one in the

1 car at that time.

2 In the meantime, back upstairs at
3 422 1/2 South Main, Charles Quitman Stevens,
4 who occupied these two rooms adjacent to a
5 bathroom here (indicating), Mr. Stevens,
6 who earlier in the afternoon had observed
7 Mrs. Brewer as she talked to the Defendant
8 with reference to renting the room, Mr.
9 Stevens was working on a radio adjacent to
10 this wall right here (indicating). He
11 heard movements over in the apartment 5-B
12 rented to the Defendant, movements around
13 as if furniture being moved. He also
14 heard footsteps from this area into the
15 bathroom (indicating).

16 During this period of time, Mr. William
17 Anchutz, who lived in this apartment,
18 (indicating), had on several occasions gone
19 and attempted the door to the bathroom and
20 had even questioned Mr. Stevens about who
21 was in the bathroom.

22 At approximately 6:00 P.M., Mr. Stevens
23 heard the shot coming apparently through
24 this wall from the bathroom (indicating).

1 He then got up, went through this room
2 out into the corridor in time to see the
3 left profile of the Defendant as he turned
4 down this passageway which leads to an
5 opening with a stairwell going down to
6 Main Street (indicating).

7 Now, Gentlemen, in -- you can see
8 here this mock-up, this offset area here
9 is in front of Canipe Amusement Company
10 (indicating). It is reflected here on
11 this mock-up at this point (indicating).
12 Mr. Guy Warren Canipe, along with two
13 customers, Bernell Finley and Julius
14 Graham, were in Canipe Amusement Company
15 when they heard a thud in the area im-
16 mediately here and up in this little off-
17 set (indicating), and, looking out, saw
18 the back of a white man going away from
19 that area in a general southern direction
20 on down Main Street, observing momentarily
21 thereafter a white Mustang pull from the
22 curb, head north on Main Street with one
23 occupant.

24 This package was subsequently guarded

1 and found to be the rifle, the box, the
2 suitcase, wrapped in the green spread,
3 etc., that has heretofore been intro-
4 duced to you gentlemen through some of
5 the witnesses.

6 Various officers from attack unit,
7 which consisted of three cars, had come
8 in at approximately five minutes before
9 6:00 P.M. to utilize the facilities of
10 the Butler Fire Station as depicted here
11 (indicating), for a short break, having
12 worked all day. This consisted of three
13 squad cars. These cars had pulled in,
14 parked with the foremost car up, extending
15 out here toward the sidewalk (indicating).
16 This is immediately south of the rooming
17 house.

18 These officers being in the assembly
19 room area, some in the rest room, etc.,
20 upon hearing the shot, various officers
21 would testify as to coming out the rear
22 door here (indicating), coming over into
23 this area, jumping down some 10-foot wall
24 here (indicating), and proceeding over

1 into the motel where they could observe
2 the body lying there, as has been here-
3 tofore described to you.

4 Some of these officers went back up
5 into this area (indicating), particularly
6 Patrolman Landers, climbed, scaled this
7 wall, went back up in this area, checked
8 this area (indicating). Other officers
9 proceeded on down to the next intersecting
10 street back and come back south, running
11 south on Main Street.

12 As has been testified to, a guard
13 was placed on the package of evidence in
14 this area (indicating), and was subse-
15 quently turned over to Mr. Jensen of the
16 F.B.I., who delivered it to one of his
17 agents who carried it to Washington.

18 Upon the officers of the Memphis
19 Police Department reaching the scene,
20 going up into the area, talked with Mrs.
21 Brewer, Mr. Anchutz, Mr. Stevens, they
22 entered Room 5-B.

23 The testimony would show, Gentlemen,
24 that there had been a chest of drawers

1 sitting by a window located on the south
2 side of this apartment. This chest of
3 drawers had been moved from the time Mrs.
4 Brewer rented the apartment. There was
5 a straight chair sitting at that location.
6 You could sit in this chair and could look
7 from the window and could see the Lorraine
8 Motel, in a rather awkward position you
9 would have to get into to look out through
10 there.

11 In the officers entering this room,
12 they found two leather straps, one lying
13 upon a couch in the room, one lying upon
14 the floor, which was subsequently deter-
15 mined to be straps which would fit the
16 case and the binoculars that were found
17 down in front of Canipe Amusement Company.

18 There were certain items taken from
19 this room by the officers, such as a
20 pillow, some coverings on the bed for
21 subsequent comparison, and I will touch
22 on those briefly with you in a few min-
23 utes.

24 The proof would show, Gentlemen,

1 that the homicide officers coming into this
2 area of the bathroom, inspecting the bath-
3 tub here (indicating), found marks in the
4 bottom of the tub consistent with shoe or
5 scuff marks.

6 The window, which is in line, as I
7 will indicate here, this is the window that's
8 reflected here with the Lorraine Motel
9 (indicating), was open. At the bottom, from
10 the bottom, the screen was pushed off and
11 was found down in this area here
12 (indicating).

13 The sill of this window in the bath-
14 room was observed by Insp. Zachary to have
15 what appeared to be a fresh indentation
16 in it. This sill was ordered removed, was
17 cut away, was subsequently sent to the
18 F.B.I. for comparison, and the proof would
19 show through expert testimony that the
20 markings on this sill were consistent with
21 the machine markings as reflected on the
22 barrel of the 30.06 rifle which has here-
23 tofore been introduced to you gentlemen.

24 In an effort to identify any and all

1 white Mustangs in the area of Memphis on
2 that night, extensive investigation was
3 made, including to the Rebel Motel, where
4 a registration card reflected one, Eric
5 S. Galt, had registered at approximately
6 7:15 P.M. on the evening of April the 3rd.
7 He was driving a Mustang, bearing Alabama
8 license 1-38993, with an address, 2608
9 South Highland, Birmingham, Alabama.

10 The proof would further show that
11 Mr. Ivy Welch, who was the night manager
12 of this Rebel Motel, observed this par-
13 ticular car parked there during that night;
14 he observed the Mexican stickers on this
15 car, and also verified the license number.

16 After having traced the rifle through
17 the manufacturer and to Birmingham, the
18 State would show through Mr. Hugh L. Baker
19 of Aero Marine, a sporting goods place lo-
20 cated in Birmingham, that on Friday, March
21 29th, he sold a 243 caliber Winchester
22 rifle, which is a little smaller caliber
23 than this 30.06, to the Defendant under the
24 name of Harvey Lowmeyer, with an address in

1 Birmingham that was different to the
2 2608 South Highland, proved to be no one
3 of that name living at that address.

4 Capt. John DeShazo would be brought
5 from his duty station in Japan to testify
6 as to his being present and observing the
7 purchase of this rifle along with a
8 Redfield Scope which was mounted on the
9 rifle by Mr. Baker at that time.

10 Mr. Donald F. Woods of the Aero Marine
11 Supply Company would be called to testify
12 that later in the evening or afternoon of
13 March the 29th, he received a phone call
14 from a person identified as Harvey Lowmeyer
15 with reference to exchanging the rifle,
16 the 243 caliber for a 30.06 caliber. Mr.
17 Woods gave directions with reference to
18 bringing the gun in at 9:00 o'clock on
19 Saturday morning, which would have been
20 Saturday morning, and that was done. He
21 changed the scope from the 243 to the 30.06,
22 and at 3:00 o'clock that afternoon de-
23 livered the 30.06, which is the same rifle
24 which has been identified here in the

1 courtroom to the Defendant along with --
2 he didn't have a box with a scope on it.
3 The regular Remington box wouldn't fit
4 and that's the reason for the Browning
5 automatic shotgun box being used to deliver
6 this rifle in.

7 The proof would show in the investi-
8 gation in the Birmingham area that the
9 license on this vehicle, that this vehicle,
10 the Mustang, was formerly owned by Mr.
11 William B. Paisley. Mr. Paisley would
12 be called to testify with reference to
13 having sold this white Mustang for \$1,995
14 on August 30th, 1967, to Eric S. Galt
15 after having run an ad in the Birmingham
16 newspaper with reference to the car.

17 At the time Mr. Paisley delivered this
18 car and received the money, there was some
19 conversation with reference to not having
20 a driver's license. He cautioned the per-
21 son, the Defendant identified as Eric Galt
22 about this, and was told that he would
23 take, when he went to get his driver's
24 license, he must have a licensed driver with

1 him. So he said, "I will take the fellow
2 from the rooming house."

3 Investigation would move over to
4 2608 South Highland in Birmingham, Alabama.
5 Mr. Peter Cherpes would be called to testi-
6 fy as the manager of that place that he had
7 rented a room to Eric Galt on August the
8 26th, 1967, for \$22.50 a week, including
9 breakfast and supper, and proof would fur-
10 ther show that Mr. Cherpes did accompany
11 Galt to obtain his driver's license. The
12 driver's license record which we would
13 introduce in the cause in this case would
14 reflect that the driver's license number
15 of Mr. Cherpes on the application which
16 was signed with the full name, Eric Starvo
17 Galt.

18 The state would show through these
19 records also that the 1967 license number,
20 which was assigned to Mr. Paisley, was
21 transferred to Eric S. Galt, and that
22 subsequently on October the 2nd, that the
23 new license number was obtained, the 1968
24 license, 1-38993, by the Defendant as

1 Eric S. Galt.

2 The State's proof would further show
3 that the Defendant left the Birmingham
4 vicinity on or about October the 5th.
5 He entered Mexico on October the 7th. He
6 remained there in Mexico until about the
7 middle of November, 1967.

8 The State's proof would then pick
9 the Defendant up, using the name, Eric
10 Starvo Galt, when he appeared in Los
11 Angeles, California, at an address, 1535
12 N. Sirano, and rented an apartment from
13 a Mrs. Marguerita Powers, who would be
14 brought in to testify with reference to
15 this.

16 Also from Los Angeles, the State
17 would call Mrs. Marie Martin, who would
18 testify that she met the Defendant under
19 the name Galt, while she was working at
20 the Sultan Room there in Los Angeles,
21 and that pursuant to having met Mr. Galt,
22 became acquainted with him, that she later
23 introduced him to her cousin, one, Rita
24 Stein, and Rita Stein had two children in

1 New Orleans, Louisiana, she wanted brought
2 to Los Angeles.

3 As a result of this friendship be-
4 tween Miss Martin and having met Rita Stein
5 and also her brother, Charles Stein, it
6 was agreed on the 15th of December that the
7 Defendant, driving his Mustang, would take
8 and he did take Charles Stein to New Orleans,
9 Louisiana.

10 The State's proof would introduce the
11 records through the manager of the Provincial
12 Hotel to show that the Defendant as Eric
13 Galt, 2608 South Highland, Birmingham,
14 Alabama, driving the Mustang, did register
15 and stayed in room 126 on December 17th,
16 checked out on December 19th.

17 At that time the proof would show
18 that, along with Charles Stein and the two
19 children of Rita Stein, the Defendant pro-
20 ceeded back to Los Angeles.

21 The State would show through Mrs.
22 Mary Lucy Panella, the manager of the
23 Home Service Laundry Company, located at
24 5280 Hollywood Boulevard, that the

1 Defendant, as Eric Galt, was customer of
2 her laundry during the period of December
3 1967 until early March '68. She will
4 identify laundry markings as reflected
5 on the shorts and the undershirt dropped
6 in front of Canipe's as being laundry
7 marks she had placed on these two par-
8 ticular garments while the Defendant
9 was there as a customer.

10 Mr. Avidson, Rodney Avidson, who
11 operated the dance studio at Long Beach,
12 California, would testify with reference
13 to knowing the Defendant as Eric S. Galt
14 during the period from December the 5th
15 until February the 12th while Mr. Galt
16 was taking dancing lessons at his place
17 of business.

18 Through the testimony of Mr. Thomas
19 Reeves Lau, the State would show that
20 the Defendant, under the name of Eric S.
21 Galt, enrolled in the International School
22 of Bartending there in Los Angeles, and he
23 attended this school from January the 19th
24 until March the 2nd, when he graduated.

1 We were able to obtain a photograph in
2 color reflecting the graduation picture
3 from Mr. Lau, which you will see does
4 show the Defendant along with Mr. Lau,
5 who was standing, as you gentlemen view
6 the picture, to the Defendant's left and
7 is holding the diploma in front of him
8 with the name, Eric S. Galt.

9 Dr. Russell C. Hadley, of Hollywood,
10 California, would be called by the State
11 to testify that, in his capacity as a
12 plastic surgeon, he did perform an oper-
13 ation on the nose of the Defendant under
14 the name, Eric Galt, on March the 5th of
15 1968.

16 We would show that on March the 17th
17 of 1968, the Defendant, using the name of
18 Eric S. Galt, executed a change-of-address
19 card from the St. Francis Hotel, where he
20 had moved to from 1535 N. Sirano, showing
21 the new address to be General Delivery,
22 Atlanta, Georgia; that in route from Los
23 Angeles back east across the country, the
24 Defendant did deliver certain items of

1 clothing and some books or a carton of
2 personal belongings to the daughter of
3 Mary Martin who was residing in New
4 Orleans, Louisiana.

5 Further tracing the Defendant still,
6 as Eric S. Galt, he spent the night of
7 March 22nd at the Flamingo Motel located
8 in Selma, Alabama.

9 We would show through Mr. Jimmy
10 Garner, who operates a rooming house in
11 Atlanta, Georgia, that he rented a room
12 to the Defendant under the name, Eric
13 S. Galt, on March the 24th, 1968; that
14 he collected a week's rent and subse-
15 quently on March the 31st, collected a
16 second week's rent from the Defendant as
17 Eric S. Galt; that at the time of col-
18 lecting the rent on March the 31st, that
19 the Defendant did write his name out as
20 Eric S. Galt on an envelope, and this en-
21 velope was subsequently turned in in the
22 course of this investigation.

23 That on the morning of April the 5th,
24 Mr. Garner went into the room that had been

1 rented to the Defendant as Eric Galt, and
2 for purposes of changing the linen, at that
3 time he found a note in substance saying,
4 "I have to go to Birmingham. I will be
5 back later to pick up my, within about a
6 week to pick up my television set and my
7 other articles"; that on April the 14th of
8 1968, some ten days after the murder in
9 Memphis, Mr. Garner did give permission
10 to the members of the Atlanta F.B.I. office
11 to make a search of the premises there
12 at his rooming house which had, the room
13 which had subsequently been rented to the
14 Defendant.

15 Mrs. Annie Peters would be called by
16 the State to testify with reference to the
17 operation of the Piedmont Laundry, which
18 is located around the corner from Jimmy
19 Garner's rooming house; that on April the
20 1st, the Defendant, as Eric Galt, left
21 certain laundry and cleaning there; that
22 on the morning of April the 5th, 1968, at
23 around mid-morning, he returned and picked
24 up this laundry and dry cleaning.

1 The State would then show that on the
2 morning of April the 5th, 1968, several
3 people who lived in the Capitol Homes
4 Apartment Project, located in Atlanta,
5 Georgia, included among them, a Mrs. Lucy
6 Cate, who would be called as a State's
7 witness, observed this white Mustang pull
8 into this parking area of the Capitol Homes,
9 back in, and a white man leave this Mustang,
10 a sole white man.

11 The State would further show that this
12 car stayed in this location from approxi-
13 mately between 8:15 and 8:30 A.M., some-
14 where in that area, of the morning of April
15 the 5th, until April 11th, when as the re-
16 sult of several of the people in the neigh-
17 borhood talking about the car, a pastor of
18 one of the people was called to the scene,
19 and he subsequently called the Atlanta po-
20 lice, and we would show through Detective
21 Roy Lee Davis of the auto theft division
22 of the Atlanta Police, that he was dis-
23 patched to the scene; he did observe this
24 1966 Mustang, bearing license No. 1-38993.

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In the course of checking to check out whether or not this was a stolen car, of course, following the customary police procedure, the information on this car was picked up and, of course, it was the car being sought in reference to the investigation here in Memphis already. And, subsequently, the car was taken into custody by the officers of the Federal Bureau of Investigation. And the officers, in checking this car out, observed several items in the trunk which proved to be significant.

Specifically, and without taking time to bring these all out, they are wrapped, we do have them here, a dark blue short sleeved shirt; there were two bed sheets in the trunk of the car; a pillowcase; a rug from the trunk was taken, along with a pillow; sweepings were made of the floor mats all through the car. There was a styrofoam case which was determined to be the styrofoam case in which, the type styrofoam case in which a Polaroid 220 camera is packaged and shipped and sold.

1 Also, the 1967 license number which had
2 tag, which was in the car. This is the
3 same tag that had been registered to Mr.
4 Paisley, was transferred in early
5 September to the Defendant as Eric S.
6 Galt, and, of course, bearing the 1968
7 Alabama license, 1-38993.

8 The officers of the Bureau there,
9 who made the search of the room rented
10 by Jimmy Garner, would testify with ref-
11 erence to a number of maps that were
12 found, including the maps of Atlanta,
13 maps of Texas and Oklahoma, maps of Los
14 Angeles, map of California, maps of
15 Louisiana, map of Arizona and New Mexico,
16 map of Birmingham, and also a map of
17 Mexico; that these items along with the,
18 these maps along with the handwritten
19 name, Eric S. Galt, was delivered over to
20 the laboratory and will be touched upon
21 in the testimony from that end in just a
22 moment.

23 The state's proof would then shift
24 to Toronto, Canada, where we would show

1 through Mrs. Adam Sokowski that on April 8,
2 1968, the Defendant appeared at her home.
3 She had rooms for rent there at 102
4 Ossington West at Toronto, Canada. That
5 the Defendant rented a room under the name,
6 Paul Bridgeman. That after the Defendant
7 had moved from her establishment, she re-
8 ceived a letter from the office of the
9 Registrar General, which handles, among
10 other things, birth certificate applica-
11 tions, addressed to Paul Bridgeman, and
12 it was returned unclaimed.

13 Mrs. Mable Agnew, who operates a
14 photographic studio there in Toronto, Canada,
15 would testify that on April the 11th of
16 1968, she took passport photographs of the
17 Defendant under the name of Paul Bridgeman.
18 Copies of those photographs would be, of
19 course, introduced in evidence.

20 Mrs. Lillian Spencer of the Kennedy
21 Travel Bureau, which is located in Toronto,
22 Canada, would testify that the Defendant,
23 using the name of Ramon George Sneyd,
24 did contact her on April the 16th, made

1 application for a Canadian passport and
2 booked passage to London on an excursion
3 flight that was to leave May the 6th and
4 return May the 21st; that he subsequently
5 returned to her place of business and
6 picked up the passport and his tickets on
7 May 2nd, 1968.

8 Mrs. Sung Fung Loo, who is a Chinese
9 lady operating a rooming house or a home
10 in which she rented rooms, would testify
11 that the Defendant came to her place at
12 962 Dundas in Toronto, Canada, and rented
13 a room from her on April the 19th under
14 the name of Ramon George Sneyd.

15 We would call the Hon. H.F.C. Humphreys,
16 who is a Deputy Registrar of the province
17 of Ontario, Canada. He would testify and
18 produce from official records a letter
19 signed Paul Bridgeman, dated 4/10/68, re-
20 questing a copy of a birth certificate.
21 Said certificate was subsequently mailed
22 to 102 Ossington West and returned not
23 claimed.

24 He would introduce a letter signed

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George Ramon Sneyd, dated April 16th, 1968, requesting a copy of a birth certificate be mailed to 962 Dundas Street.

He would identify the birth certificate card in the name of Ramon George Sneyd as being the one sent by his office in response to this request, this being one and the same birth certificate card recovered from the Defendant at the time of his arrest in London, England.

The State would show through introducing these gentlemen, Eric S. Galt to be a prominent business man in Toronto, Canada; Paul Bridgeman is a Consultant with the Toronto Board of Education; Ramon George Sneyd is a member of the Toronto Metropolitan Police, and although these men live in rather close proximity to each other in the City of Toronto, until this investigation they never knew each other nor did any of them ever know the Defendant.

The State's proof would then continue and show that the Defendant, as

1 Ramon George Sneyd, did fly to London,
2 arriving on May the 7th, 1968.

3 A Miss Monica Baker, who is a re-
4 ceptionist for the BOAC in London, would
5 testify with reference to exchanging the
6 return ticket back to Toronto for the
7 Defendant in exchange for a ticket to
8 Lisbon, Portugal, and giving a small re-
9 fund, as I recall, something around \$14.00.

10 Inspector Passou of the Portuguese
11 National Police in Lisbon, Portugal, would
12 be called by the State and would introduce
13 through him official records reflecting
14 the entry into Lisbon, Portugal, by the
15 Defendant on May the 8th, 1968, and his
16 exit on May the 17th, 1968, and, further,
17 with reference to pursuant to law there,
18 where they have to make a record of any
19 foreigner staying even overnight in a motel
20 or a hotel, with reference to his staying
21 at the Hotel Portugal during this period
22 of time.

23 Mrs. Manuella T. Lopez, employed by
24 the Canadian Embassy in Lisbon, Portugal,

1 would testify as to how the Defendant came
2 to the embassy on May the 15th of 1968,
3 for the purpose of having a name corrected
4 on the Canadian passport. The name re-
5 flected Sneya, S-n-e-y-a, rather than
6 S-n-e-y-d. The passport was cancelled,
7 a new passport was issued with the name
8 correctly spelled S-n-e-y-d.

9 Mr. Fama, who was a member of the
10 Portuguese Police there in Lisbon, checked
11 both passports and allowed the Defendant
12 to leave for flight to London on May the
13 17th.

14 The State's proof would show,
15 Gentlemen of the Jury, that upon the
16 Defendant's return to London, as Ramon
17 George Sneyd, he lived at the Heathfield
18 House Hotel from May the 17th to May 28th.
19 He lived in New Earl's Court in London,
20 England, from May 28th to June the 5th,
21 and at the Pax Hotel from June 5th until
22 June the 8th.

23 In the meantime, after many hours of
24 extra duty by members of the Royal

1 Canadian Mounted Police, including preparing
2 this picture of James Earl Ray with all
3 passports, it was determined that the pic-
4 ture on the passport of Ramon George Sneyd
5 was identical to James Earl Ray, although
6 in the passport picture the Defendant was
7 wearing glasses.

8 Through the cooperative efforts in
9 law enforcement, officials of New Scotland
10 Yard in London, England, and the Portuguese
11 International Police, the search was started
12 for Ramon George Sneyd.

13 Upon request for assistance in this
14 case, Chief Inspector Ron Burroughs of New
15 Scotland Yard set up the investigation.
16 All entry and exit points in the country
17 were notified and a special fugitive team
18 was set up.

19 We would show that Detective Chief
20 Inspector Kenneth Thompson of New Scotland
21 Yard and Detective Sgt. Peter Ayd were
22 making an extensive investigation and learn-
23 ing the things that I have heretofore
24 enumerated to you.

1 The Defendant, as Ramon George Sneyd,
2 appeared at the Heath Row London Airport,
3 attempting to board a flight to Brussels;
4 that at approximately 11:30 A.M. on June
5 the 8th, 1968, Detective Sgt. Phillip
6 Frederick Birch, of New Scotland Yard, who
7 was seated next to the immigration officer
8 checking passports, when the Defendant
9 presented the two passports, the one can-
10 celled in the name Sneya, the current pass-
11 port in the name Sneyd, which both of these
12 passports would be introduced and shown to
13 you gentlemen.

14 Immediately Sgt. Birch, based on in-
15 quiries that had previously come to him,
16 asked the Defendant to talk with him, step
17 out of the line and talk with him with
18 reference to these passports.

19 Sgt. Birch would testify that after
20 the Defendant accompanied him from this
21 area around to the office that was used
22 there by the police and he placed a call
23 to the headquarters and told them that he
24 had Ramon George Sneyd, he was instructed

1 at that time to make a safety search, which
2 he did make, and he found one .38 caliber
3 snub-nosed Liberty B revolver on the person
4 of the Defendant.

5 Also on his person were the tickets
6 from London to Brussels and some of the
7 ticket stubs, etc., on the London to Toronto
8 flight along with various items of corres-
9 pondence which would be introduced as being
10 relevant but not particularly for purposes
11 of this inquiry.

12 Chief Insp. Arthur Bryan, of New Scotland
13 Yard, would be called as the fingerprint ex-
14 pert with over 21 years experience. He
15 would testify that he accompanied Supt. Butler
16 of New Scotland Yard to Heath Row Airport in
17 response to this call. He obtained prints
18 from the Defendant. He compared them with
19 prints that had been sent to them in the
20 course of this investigation from the United
21 States, and would testify that this was one
22 and the same person, Ramon George Sneyd and
23 James Earl Ray were one and the same person.

24 Chief Supt. Thomas Butler, who is now

1 retired after some 34 years of service with
2 New Scotland Yard, would be called to testi-
3 fy with reference to his going to the airport
4 in response to this call, his questioning
5 the Defendant with reference to the pass-
6 ports and a pistol and cautioning him with
7 reference to his rights, et cetera; that he
8 then contacted the American authorities and
9 subsequently turned the Defendant, was
10 subsequently turned over to the American
11 authorities.

12 From the luggage of the Defendant there
13 were numerous items which, moving along I
14 will just mention to you here rather than
15 taking the time to pull them out of this
16 area here, a Polaroid camera which was de-
17 termined to fit the styrofoam box that had
18 been recovered from the Mustang in Atlanta,
19 Georgia; a suit of clothes which Mr. J. B.
20 Pluvier, of the Tip-Top Tailors in Montreal,
21 Canada, would testify he sold to Eric Galt
22 of 2589 Notre Dame Street back on July 19th,
23 1967.

24 There was another suit of clothes,

1 which Mr. Edward John Fagan, who is the
2 owner of the English and Scotch Woolens
3 and Linens-- that is a tailoring concern
4 in Montreal, Canada -- would testify that
5 on April -- excuse me -- that on July the
6 21st, 1967, Eric S. Galt was measured for
7 a suit of clothes, at that time living at
8 2589 Notre Dame in Montreal, Canada; that
9 between the ordering and the completion of
10 the suit, their records reflect a request
11 that this suit be forwarded to the Defendant,
12 as Eric S. Galt, at 2608 South Highland in
13 Birmingham, Alabama.

14 This was done. This is the same suit
15 that was recovered from the Defendant at
16 the time of his arrest in London, England.

17 The State would also, in the Montreal
18 area during the period of July and August
19 of 1967, show that the Defendant, as Eric
20 S. Galt, did rent an apartment at 2589 Notre
21 Dame in Montreal, and that he occupied this
22 in the general period of July the 18th through
23 August 29th of 1967.

24 Also, and going even back beyond that,

1 the State would introduce in evidence
2 proof to show that during the period of
3 May 3rd to June 24th, the Defendant, as
4 John L. Raines, was employed by a Mr.
5 and Mrs. Klingerman at the Indian Trail
6 Restaurant which is located in Winnetka,
7 Illinois.

8 Various experts from the F.B.I.
9 laboratory would be called to testify, and
10 their testimony would be in substance as
11 follows:

12 Mr. George J. Bonebrake, who has been
13 working with fingerprints since 1941,
14 would testify that at 5:15 A.M., April 5th,
15 1968, he received the following items as
16 has been heretofore testified to; that is,
17 the rifle, the items that, from the bag,
18 that were delivered to him by the repre-
19 sentative from the Memphis F.B.I. office,
20 with reference to this material from the
21 front, recovered from the front of Canipe's
22 Amusement place here, that he found a
23 print of sufficient clarity, fingerprint
24 of sufficient clarity on the rifle itself;

1 he found another print of sufficient clarity
2 for identification on the scope, the Redfield
3 scope mounted on the rifle; he found a print
4 on the aftershave bottle, which is in the
5 little packet that was obtained or purchased
6 from the Rexall Drug Store in Whitehaven,
7 Tennessee, which was part of the items that
8 we have heretofore mentioned to you. He
9 found a print on the binoculars. He found
10 a print on one of the Schlitz Beer cans.
11 He found a print on the front page of the
12 April 4th issue of the Memphis Commercial
13 Appeal. That on April the 17th he received
14 this map of Mexico which was, the State
15 would have shown, was obtained from the
16 room, Jimmy Garner's rooming house; that
17 he found prints of sufficient clarity on
18 that map for identification purposes; that
19 he started an extensive investigation
20 through fugitive files consisting of some
21 53,000 fingerprint cards, and on April the
22 19th he identified all the above-mentioned
23 prints that I have mentioned to you from
24 these items as being identical with the

1 records bearing the name and photograph of
2 James Earl Ray.

3 That on June the 24th, 1968, he com-
4 pared the prints from these items that I
5 have mentioned to you with the prints that
6 he obtained from Insp. Bryan in London,
7 England. Mr. Bonebrake went to London.
8 He also compared on July the 22nd the prints
9 obtained from James Earl Ray when he was
10 brought and delivered to the sheriff of
11 Shelby County here at our jail, and would
12 testify that in his opinion all the above-
13 mentioned prints were made by one and the
14 same person to the exclusion of all other
15 persons in the world.

16 That on May 6th, 1968, he also examined
17 a modern photo book store coupon, bearing
18 the name, Eric S. Galt, 2608 Highland,
19 Birmingham, Alabama, and found a thumb print
20 identical with the other prints heretofore
21 mentioned and which he attributed to James
22 Earl Ray. That further on August the 27th,
23 1968, he examined several checks from the
24 Indian Trail Restaurant payable to John L.

1 Raines and found a thumb print identical
2 with the left thumb print of James Earl
3 Ray.

4 Mr. Robert A. Frazier, the chief,
5 firearms identification unit at the F.B.I.,
6 with 27 years experience, would testify
7 as to examination and firing of this rifle,
8 30.06, that has been heretofore introduced.

9 He examined the cartridges, the hull
10 from the chamber of this rifle, the slug
11 removed from the body of Dr. Martin Luther
12 King, Jr., and would testify as to his con-
13 clusions as follows:

14 The death slug was identical in all
15 physical characteristics with the five
16 loaded 30.06 Springfield cartridges found
17 in the bag in front of Canipe's. The cart-
18 ridge case had in fact been fired in this
19 30.06 rifle. That the death slug removed
20 from the body contained land and groove
21 impressions and direction of twist con-
22 sistent with those that were in the barrel
23 of this rifle.

24 That he also made microscopic

1 comparison between the fresh dent in the
2 sill of the window at the bathroom, 422 1/2
3 South Main, and concluded that the micro-
4 scopic evidence in this dent was consistent
5 in all ways with the same microscopic
6 marks as appear on the barrel of this rifle,
7 30.06 rifle.

8 That his examination of the 243 caliber
9 Winchester rifle, which had been purchased
10 on March the 29th and returned on March the
11 30th, was not capable of chambering or fir-
12 ing a slug. There were certain deposits
13 on the end of the bolt which had to be
14 chiseled away before this gun was capable
15 of being fired. That is the gun that was
16 returned.

17 Morris S. Clark would be called as
18 another expert from the F.B.I., with ref-
19 erence to hair and fiber examinations, and
20 he prepared microscopic slides from this
21 green spread. He also made examinations
22 of the pillow that was removed from 5-B,
23 the bed clothing removed from 5-B, and he
24 found fibers of the same type as is on this

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green bedspread on the following items which were obtained from Room 5-B; that is, on the bed coverings as well as this little pillow which was found on the sofa in Room 5-B. That is the room in the rooming house. That he found fibers of the exact same type on the following items recovered from the white Mustang in Atlanta, Georgia: on the sweatshirt, on the two sheets, on a jacket, pillowcase, walking shorts, rug from the trunk, pillow from the trunk, and sweepings from the car. That he prepared slides of hair, human hair he removed from this hair brush that was recovered at the scene in front of Canipe's, and that he found hairs on the sweatshirt, sheet, pillowcase, the rugs from the trunk, and in the sweepings from the Mustang, and found these hairs to have the same characteristics in every respect as the hairs found on the hair brush dropped in front of Canipe's, and also as to hairs which were recovered after a haircut here in the Shelby County jail as the Defendant, James Earl Ray.

1 He would further identify the
2 styrofoam covering that I have mentioned
3 to you, or the styrofoam case, which was
4 taken from the Mustang in Atlanta, as
5 being identical as the type used to
6 package Polaroid 220 camera, which was
7 the camera that was found in Ray's luggage
8 at the time of his arrest in London,
9 England.

10 The State would also offer the testi-
11 mony of James H. Morgan, who is an expert
12 examiner of questioned documents, com-
13 monly referred to as a handwriting expert,
14 and would show his examinations and con-
15 clusions, as follows:

16 That the same person who prepared and
17 signed the application and note under the
18 signature of Eric S. Galt, identified as
19 the Defendant, along with Mr. Lau out at
20 the bartending school in Los Angeles, also
21 signed the registration card at the Rebel
22 Motel in Memphis, signed the registration
23 at the Provincial Hotel in New Orleans,
24 signed the motor vehicle transfer application

1 from Mr. Paisley to Eric S. Galt; signed
2 the driver's license application under the
3 name of Eric Starvo Galt to obtain an
4 Alabama driver's license, and to be the
5 same person who rented a safety deposit
6 box at the Birmingham Trust National Bank
7 in August, 1967, under the name of Eric
8 S. Galt.

9 Also to be the same person who pre-
10 pared the writing on the Modern Book Store
11 coupon which also bore a print of James
12 Earl Ray; and also the same person who
13 wrote on the envelope for Jimmy Garner at
14 the rooming house in Atlanta the name Eric
15 S. Galt.

16 There were many other documents used
17 in tracing the Defendant in establishing
18 who he was and bringing this case down to
19 this point, and I've just tried to high-
20 light those for you gentlemen.

21 If the Court please, that covers our
22 stipulation.

23 THE COURT: All right, is there any-
24 thing anyone would want to say at this time?

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MR. FOREMAN: No, Your Honor.

THE COURT: All right, gentlemen.

All of you who can do as you said you would do and accept this compromise settlement on a guilty plea and punishment of 99 years in the State penitentiary, hold up your right hand.

(Thereupon, the jury complied with the request of the Court.)

THE COURT: I believe that is everyone. All right, you can have someone sign the verdict, Mr. Blackwell.

(Thereupon, the verdict was signed.)

THE COURT: James Earl Ray, stand.

(Thereupon, the Defendant complied with the request of the Court.)

THE COURT: On your plea of guilty to murder in the first degree, as charged in the indictment, it is the judgment of the Court that you be confined for 99 years in the State penitentiary.

You may be seated.

(Thereupon, the Defendant complied with the request of the Court.)

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THE COURT: Now, we have been here for some time and I don't propose to keep us here much longer, but I think that the Court should make a few remarks at this place in the proceedings.

The fact was recognized soon after this tragic murder took place that there was no possible conclusion to the case which would satisfy everybody. And it was decided at that time that the only thing that the Judge who drew the unlucky number, which was me, could do was to try this case as nearly as possible like all other cases and to scrupulously follow the law and the dictates of his own conscience. I feel that I have done this.

Memphis has been blamed for the death of Dr. King, to me, wrongfully and irrationally. Neither the decedent nor his killer lived here and their orbits merely intersected here.

The State has made out a case of first degree murder by lying in wait. And the question might arise in many minds, "Why

1 accept any plea at all? Why not try him,
2 try to give him the electric chair?"

3 Well, I have been a Judge since 1959,
4 and I myself have sentenced at least
5 seven men to the electric chair, maybe a
6 few more. My fellow Judges in this County
7 have sentenced several others to execution.

8 There has been no execution of any
9 prisoners from Shelby County in this State
10 since I took the Bench in 1959.

11 All the trends in this country are
12 in the direction of doing away with capital
13 punishment altogether.

14 Then how about the conspiracy angle
15 of this case and the punishment of any co-
16 conspirator?

17 It has been established by the prose-
18 cution that at this time they are not in
19 possession of any evidence to indict any-
20 one as a co-conspirator in this case. Of
21 course, this is not conclusive evidence
22 that there was no conspiracy. It merely
23 means as of this time there is not suf-
24 ficient evidence available to make out a

1 case of probable cause against anybody.

2 However, if this Defendant was a
3 member of a conspiracy to kill the de-
4 cedent, no member of such conspiracy can
5 ever live in peace or security or lie
6 down to pleasant dreams, because in this
7 State there is no statute of limitations
8 in capital cases such as this. And while
9 it is not always the case, my 35 years in
10 these criminal courts have convinced me
11 that in the great majority of cases, Hamlet
12 was right when he said, "Murder, though it
13 hath no tongue, will speak with most mi-
14 raculous organ."

15 I believe the settlement of this
16 case is a just one to both the Defendant
17 and the State. I have accepted and ap-
18 proved the settlement. The Defendant is
19 represented by able and eminent counsel.
20 All his rights and all the safeguards sur-
21 rounding him have been zealously and con-
22 scientiously observed and adhered to.

23 I cannot let this occasion pass with-
24 out paying tribute to Tennessee, Southern,

1 American and Western free world justice
2 and security which was truly a team ef-
3 fort involving scores and even hundreds
4 of persons.

5 You have heard from stipulation here
6 the police departments of Canada, of
7 Mexico, of Portugal, of England, of the
8 F.B.I., the local police, the State of
9 Tennessee, the Sheriff's office here has
10 had the onus of this prisoner's security.
11 I highly praise them all. I think that
12 it took the team effort to bring this
13 case to a just conclusion.

14 I must also mention Mr. Charles Holmes,
15 the Sheriff's liaison with the news media,
16 and finally, my amici curiae committee,
17 whose efforts have been of inestimable
18 value to me.

19 I wish all these people to know
20 officially and personally that I appreciate
21 their efforts in bringing this case to a
22 just conclusion, and if I have overlooked
23 anyone I want to especially thank them too.

24 Defendant in open court has voluntarily

1 admitted his guilt to first degree murder,
2 this in the presence of the Court and this
3 company, and he has pled guilty before
4 this jury and accepted his punishment.

5 This Court, nor no one else, knows
6 what the future will bring, but I submit
7 that up to now we have not done too badly
8 here for a "decadent river town".

9 If I may be permitted to add a light
10 touch to a solemn occasion, I would like
11 to paraphrase the great and eloquent
12 Winston Churchill, who, in defiant reply
13 to an Axis threat that they were going to
14 wring England's neck like a chicken, said,
15 "Some chicken, some neck."

16 I would like to reply to our Memphis
17 critic, "Some river, some town."

18 Is there anything else?

19 GEN. CANALE: Yes, sir. Your Honor,
20 we have this dangerous weapons indictment,
21 and I would like for the Court to -- I
22 recommend a nol pros on that without cause.

23 As Your Honor knows, he was indicted
24 for this before he was apprehended in

1 London. Carrying a dangerous weapon is
2 not an extraditable offense under our
3 treaty with England, and the treaty also
4 says that whatever he wasn't brought back
5 on, he cannot be held to try it on, and
6 as far as carrying a dangerous weapon,
7 I recommend a nol pros without cause on
8 it, Your Honor.

9 THE COURT: I have already ruled that
10 we couldn't travel ---

11 GEN. CANALE: Your Honor has already
12 said we couldn't travel on that, didn't
13 you?

14 Just one more thing for the record,
15 Your Honor.

16 It was stipulated and agreed between
17 the defense and myself that these mock-ups
18 we have in the courtroom, the two mock-ups
19 of the scene, were accurate replicas of
20 the scene down there. We have referred to
21 them quite a bit, but I just thought I
22 better put it in the record, that it was
23 stipulated and agreed that they were ac-
24 curate mock-ups to scale.

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THE COURT: All right, sir. Now, 18
I believe that I have been told that 17
lunch has been prepared for the jury. 16

DEPUTY: Yes, Your Honor. 15

THE COURT: All right, gentlemen, 14
you have spent a long morning, so you 13
will get a lunch out of it anyway. 12

All right, is there anything else 11
before we recess? 10

All right, you can adjourn the Court.

(ADJOURNMENT)